

California Foster Care Ombudsman Office

Annual Report

May 2002 – May 2003

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TABLE OF CONTENTS

	PAGE
Introduction	1
Foster Care Ombudsman Mission Statement	1
The California Foster Care Ombudsman Program	2
Authority and Limitations of the Foster Care Ombudsman	3
Annual Data Summary	4
Referral Data	5
Outreach Presentations	6
Complaint Data (source of complaints)	7
Complaint Data (types of complaints)	8
Foster Youth Rights	9
Complaint Issues	10 -19
1. Placement	10
2. Foster Youth Rights	11
3. Placement Agency Relationships	12
4. Abuse and Neglect in Placement	13
5. Emancipation Services and Independent Living Program	14
6. Medical/Dental/Mental Health Services	15
7. Education	16
8. Immigration	17
9. Court/Attorney	18
10. Homelessness	19
Ongoing Activities	20 -21
Special Projects	22 -25
Foster Care Ombudsman Office Staff	26
The Complaint and Inquiry Process	27

CALIFORNIA FOSTER CARE OMBUDSMAN ANNUAL REPORT

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This serves as the third annual report issued by the California Foster Care Ombudsman (FCO). The FCO was established January 1, 1999 under Welfare and Institutions Code Sections 16160 et. seq. The program began providing services on May 2, 2000.

The FCO is an autonomous entity located within the California Department of Social Services (CDSS) and acts as an independent forum for the review and

resolution of complaints made by or on behalf of children and youth in foster care regarding their care, placement and services.

As of May 2003, there were 95,189 children in child welfare and probation supervised foster care system statewide. More than half of the children (51%) in these cases were receiving permanent placement services.

MISSION STATEMENT

The mission of the California Foster Care Ombudsman Office is to provide a voice to speak and act on behalf of foster children and youth regarding their care, placement and services. Senate Bill 933 specifies:

“The Office of the State Foster Care Ombudsman shall be established as an autonomous entity within the Department of Social Services for the purpose of providing children who are placed in foster care, either voluntarily or pursuant to Section 300 and Sections 600 and following, with a means to resolve issues related to their care, placement and services.”

THE CALIFORNIA FOSTER CARE OMBUDSMAN PROGRAM

The California FCO Program provides the following services:

- **Maintains a statewide toll-free Foster Care Help-Line(1-877-846-1602);**

This help-line is available to individuals making a complaint or requesting information.

- **Conducts objective investigations and attempts to resolve complaints made by or on behalf of children or youth placed in foster care, related to their care, placement or services.**

The FCO assists in the timely resolution of complaints and decides whether to investigate a complaint or refer complaints to another agency for investigation. The FCO is mandated to report child abuse, and will inform all complainants that all allegations of abuse or violations of Community Care Licensing (CCL) regulations will be reported. Complainants will also be informed as to the limits of confidentiality and the limited authority of the FCO. The FCO considers the concerns of all parties involved while conducting an objective fact-finding inquiry;

- **Disseminates information to children and youth in foster care and professionals regarding:**

- * **Services of the Foster Care Ombudsman Office and**
- * **Foster Youth Rights**

The FCO also provides foster youth and professionals with standardized information (posters and brochures) regarding the rights of children and youth placed in out-of-home care. The foster youth rights must be posted in all facilities licensed to care for six or more children. The FCO assists in educating complainants regarding the child welfare system and the juvenile dependency court process;

- **Compiles all data collected on a yearly basis and makes that information available to the Legislature.**

In accordance with Assembly Bill 2294, the Ombudsperson would be required to “to present this data to various interested entities at appropriate child welfare conferences, forums, and other events, as determined by the department. This bill would state legislative intent that representatives of these interested entities consider this data in the development of any recommendations made toward improvements in the child welfare system.” The FCO would also be required to make this information available to the public by posting it on the web site. In addition, this bill “provides that the ombudsperson shall be appointed for a term of 4 years, and would permit the director to reappoint the ombudsperson for consecutive terms.”

AUTHORITY AND LIMITATIONS OF THE CALIFORNIA FOSTER CARE OMBUDSMAN

The authority of the program includes:

- The FCO may meet or communicate with any foster child in his or her placement or elsewhere;
- The FCO can have access to any record of a state or local agency that is necessary to carry out its responsibilities;
- The FCO can investigate any and all complaints received by the Office;
- The FCO is empowered to investigate the acts of state and local administrative agencies and to recommend appropriate changes toward safe-guarding children's rights; and
- The FCO has the responsibility to report all findings to the CDSS and the Legislature.

The word "Ombudsman" derives from a Swedish term indicating a person who acts on behalf of another. The American Bar Association has further defined an Ombudsman as "an independent governmental official who receives complaints against the government (and government related agencies) and/or its officials from aggrieved persons, who investigates, and who, if the complaints are justified, makes recommendations to remedy the complaints."

The authority of the program is limited as follows:

- The FCO does not have the authority to challenge court decisions;
- The FCO can recommend case reassessments but is not empowered to change case plans; and
- The FCO does not have authority regarding personnel issues. Complaints regarding discrimination and other personnel actions shall be referred to the appropriate office.

ANNUAL DATA SUMMARY

May 2002 - May 2003

OUTREACH PRESENTATIONS - 130

TOTAL CONTACTS – 8,903

This number includes requests for information, complaints and referrals .

Requests for Information - 7,178

Complaints – 1,059

During the past twelve months, the staff made 2,824 case-related contacts in completing the investigations and follow-ups. These include telephone and in-person contacts, case conferences, etc.

- **Actions Taken**

Investigations - 793

In these cases, FCO staff conducted fact-finding, data collection and interviews with various parties to explore options and intervene to resolve complainants' concerns.

Consultation - 209

In these cases, staff provided technical assistance and consultation to the callers.

Case Conferencing - 47

The FCO staff facilitated meetings with the complainant and relevant parties and professionals to engage in a dialogue in attempts to resolve the issues and focus on the best interests of the foster youth.

- **Resolution Status on Complaints**

Closed Cases - 909

86 percent of the cases were closed and resolved.

Active Cases - 160

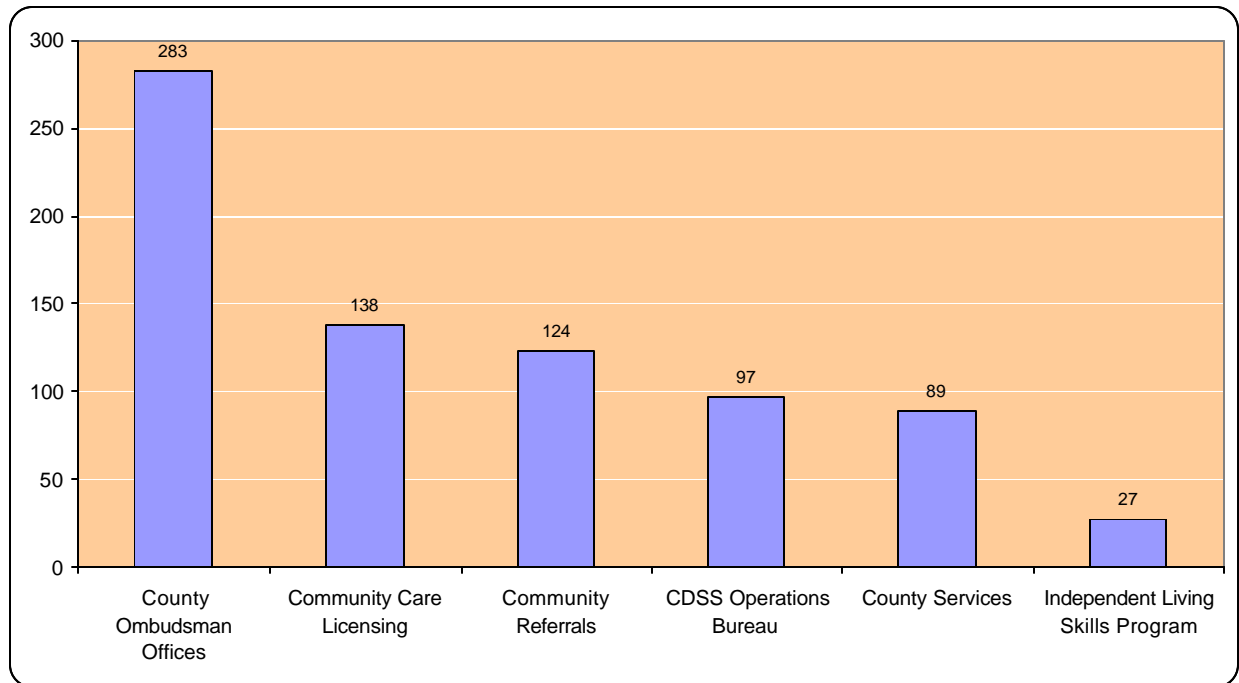
An active case will not be closed until the complainant's concerns are addressed or resolved.

Referrals - 666

In addition to resolving specific complaints, the FCO provides referrals to other agencies and departments to ensure that foster youth receive appropriate services.

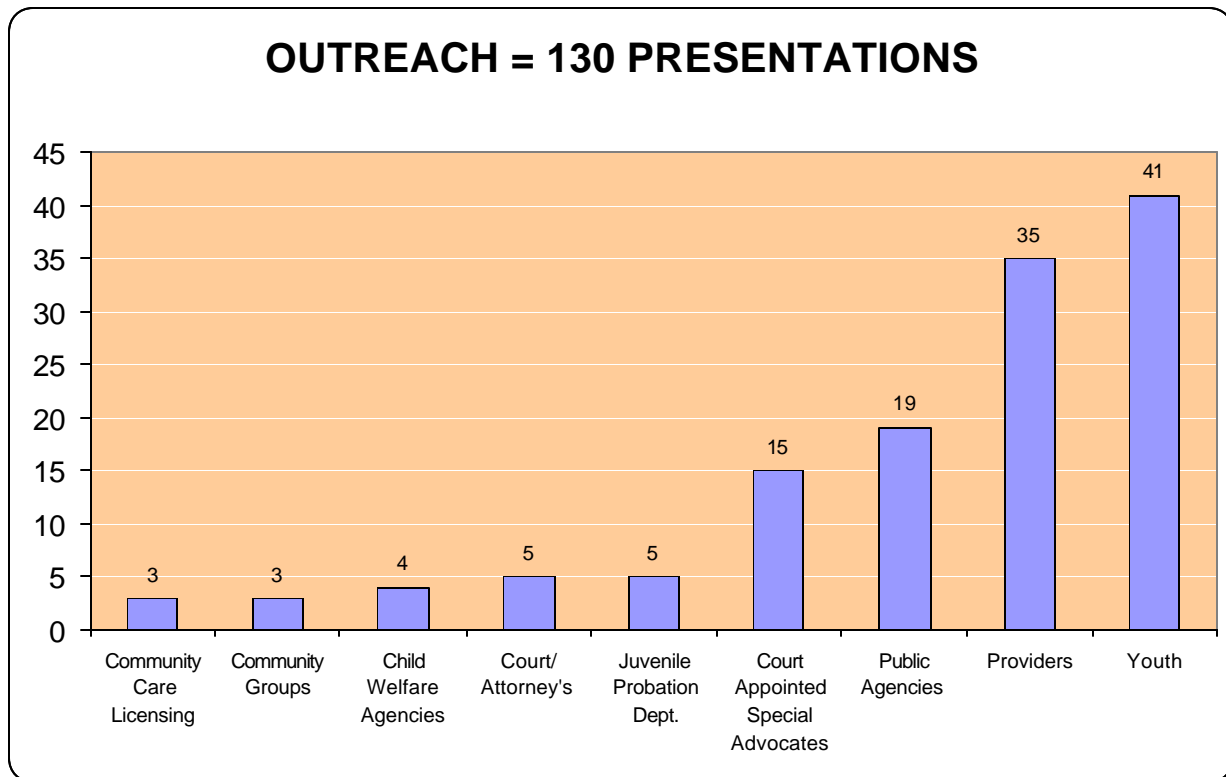
REFERRAL DATA

The Foster Care Ombudsman Office provides numerous referrals to individuals who contact the office. On many occasions, the FCO will make multiple referrals for the same contact. The chart below reflects the general referral types most frequently requested by callers:



OUTREACH PRESENTATIONS

The Foster Care Ombudsman conducts numerous outreach activities to educate the community about the foster care system. In addition, the FCO presents information on the rights of youth in out-of-home care as well as the services provided by the Office. During the third year of operation, the FCO conducted 130 presentations to various groups and organizations. The following chart depicts those groups presented to during this reporting period. The total numbers of participants attending the presentations were 4,397.



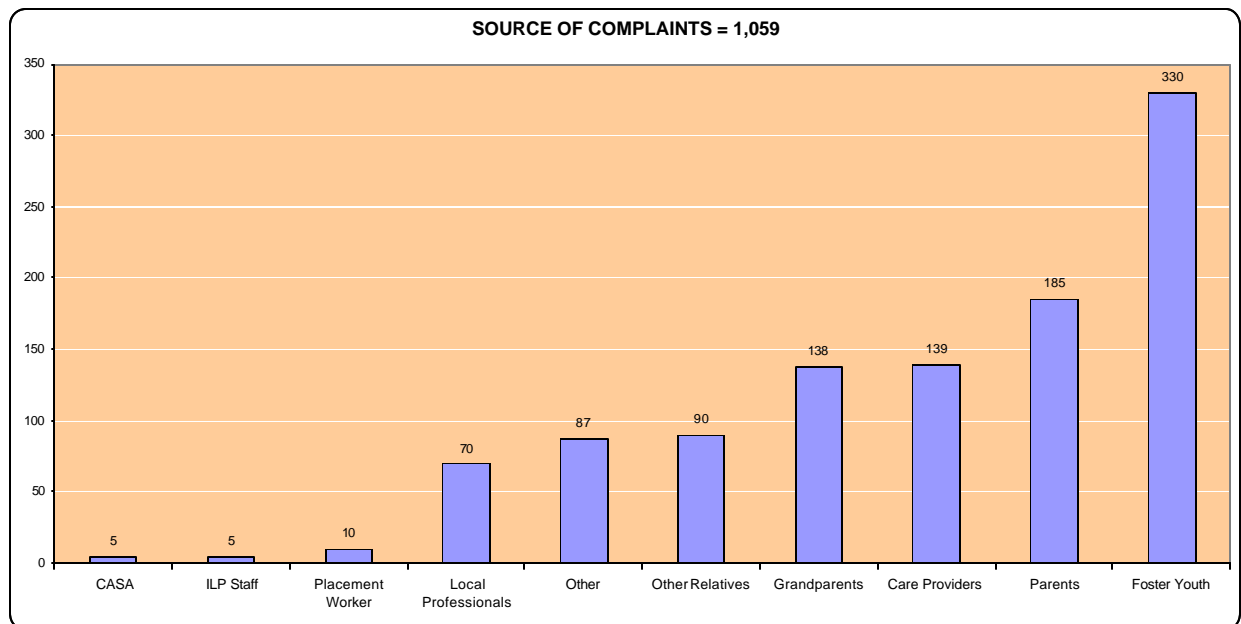
COMPLAINT DATA

Complaints: Who is complaining and what are their concerns?

The Foster Care Ombudsman received 1,059 complaints made by or on behalf of youth placed in foster care during the past year. The following categories and examples illustrate the challenges and complexity of the current foster care system:

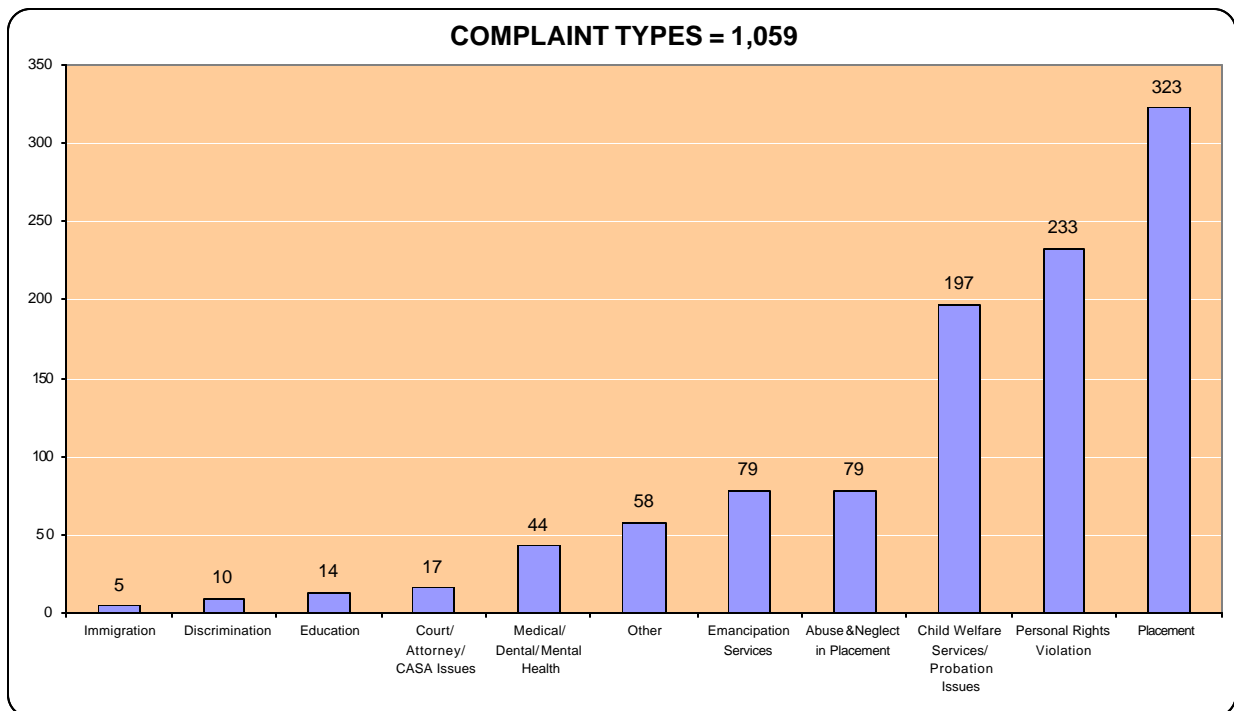
- The single largest number of complaints was received from current or former foster youth - 32 percent.
- In looking at the complaints from family members, the FCO received 18 percent of complaints from biological parents, 13 percent from grandparents and 8 percent from other relatives.
- When relative categories are combined, they represent approximately 39 percent of the total number of complaint calls to the FCO.

In addition to these categories, complaints are received from a broad range of people interested in children and youth in foster care, such as county social workers, ILP staff and representatives of community agencies, as the chart below indicates.



COMPLAINT DATA - continued

The Ombudsman Office continues to receive a wide array of complaints. During this reporting period, nearly half of the complaints were regarding placements and personal rights violations. The following chart depicts a breakdown of all complaints to the office.



FOSTER YOUTH RIGHTS

In August of 2002, the FCO completed the creation and distribution of the Foster Youth Rights brochure and poster. All foster homes and group homes in California who are licensed to care for six or more children received a copy of the poster to place in their facilities. As a result, there has been an increase in the number of calls from youth and other concerned parties related to violations of foster youth's personal rights. The chart below shows a breakdown of the calls to the FCO:

FOSTER YOUTH (PERSONAL) RIGHTS CATEGORY	NUMBER OF COMPLAINTS
Live in a safe environment / treated with respect	58
Contact family members, placement worker, CASA, attorney	29
Telephone calls and mail	17
Free from abuse	16
Attend religious services	13
Receive adequate food and clothing	11
Attend court hearings and speak to judge	6
Attend school and participate in other activities	6
Contact with siblings	6
Receive medical, dental, vision and mental health services	6
Contact with CCL or Ombudsman Office	5
Free from unreasonable searches of personal belongings	5
Receive an allowance	5
Have social contacts	4
Work and develop job skills	3
Free from the administration of medicine	2
Review case plan	2
Confidential juvenile court records	1
Other	37
TOTAL	232

During this reporting period, as referenced above, the FCO received a total of 232 complaints regarding personal rights violations. Nearly one in every four phone calls was related to a concern about possible personal rights violation.

COMPLAINT ISSUES

1. Placement – 323 Complaints

Complaints regarding the placement of Foster youth/children were the highest category. Nearly 40 percent of all the calls to the office were from parents, grandparents and other relatives wanting the foster youth to be placed with a relative.

The following are examples of common placement complaints:

- Foster youth requested to be placed with their Grandparents
- An Aunt and Uncle of a foster child complained that there was not an adequate search for relatives
- A Foster parent reported the inappropriate removal of children from their homes
- Siblings requested to be placed together

A youth called FCO stating he was about to be moved from his current foster placement and didn't want to be moved. FCO investigation discovered that this would have been the fourth placement for this youth in the six months since he had been placed in foster care. After the FCO consulted with Child Protective Services (CPS) social worker, Foster Family Agency (FFA) social worker, foster parent, and attorney, it was determined that the situation did not warrant immediate removal. The decision was then made to delay moving the youth until a placement could be found that more closely matched his individual needs.

A paternal grandmother contacted the FCO reporting that she wanted her 3 month old granddaughter placed with her. The grandmother indicated that she had completed the relative assessment process. The grandmother was expressing frustration, since her visitation had recently been cut back and the placement process seemed to have been stalled. The FCO contacted the county who indicated that they thought the grandmother was not interested in placement. Once communication was clarified between the grandmother and the county, the placement process was initiated. The grandmother contacted our office a month later reporting that her granddaughter had been placed with her.

To address the concerns around placement issues, CDSS will do the following through the Program Improvement Plan:

- Provide technical assistance to high priority counties to identify and implement promising practices that will reduce multiple placements and improve the continuity of family relationships and connections.
- Develop a promising practices guide that will contain successful practices from high performing counties, such as using various team review processes (including the parents and children, as appropriate) before a child is moved to a subsequent placement and family engagement practices to improve case planning.
- Additionally, the State will work to increase the number of counties that use the Family to Family Initiative.

COMPLAINT ISSUES - continued

2. Foster Youth Rights – 232 Complaints

The category with the second largest number of complaints related to alleged violations of foster youth rights. The passage of AB 899 (Foster Youth Bill of Rights) expanded and further clarified rights that had been afforded foster children regulations. The Foster Youth rights relate to a variety of issues such as health, home environment, court process and attorney access, education, and the right to some independent activities. (see Appendix for full listing of the rights)

Examples of typical issues were:

- Youth indicating that they are living in an un-safe environment and treated disrespectfully
- Youth wanting to contact family members, placement worker, CASA and attorney
- Youth not being able to review their case plan, receive their court reports or go to court
- Youth being free from abuse
- Youth requesting to attend religious services
- Youth not being informed of their personal rights
- Youth stating that they are receiving opened mail
- Youth's property not being returned to them when they are placed in a new home
- Youth's fear of retaliation
- Youth feel that there is a lack of confidentiality when making telephone calls

A caller contacted the FCO regarding a concern about a Group Home's routine practice to withhold and open private letters for foster youth. The FCO and CCL conducted a joint investigation. The collaborative effort resulted in a meaningful discussion about Foster Youth Rights with the staff and management of the facility. The facility developed a Foster Youth Rights implementation plan. In a follow-up discussion, the caller reported that she felt the staff now understood the Foster Youth Rights.

To address the concerns around foster youth rights, CDSS has done the following through the Program Improvement Plan:

- Instituted a formal process to train all state and county foster care licensing/approval staff on applying the same licensing/approval standards (which includes foster youth rights). This training will also be provided to all newly hired State and county foster care licensing staff.
- Completed 12 training sessions on licensing foster homes to train over 300 state and county licensing staff. (08/02)

CDSS will work with California Youth Connection (CYC) to ensure that youth input and involvement are integrated into the case planning process.

COMPLAINT ISSUES - continued

3. Placement Agency Relationships – 197 Complaints

The category with the third largest number of complaints related to issues about the placement agency. Many of the concerns related to the complainant's relationship with the placement worker.

These are examples of callers most common issues related to communication and interaction with placement agencies:

- Callers felt that there was a significant level of miscommunication between the county placement agencies and themselves.
- Callers believed that placement workers did not provide sufficient resources to ensure successful family reunification
- Providers felt that placement workers did not fully release foster youths' information to them upon and during placements
- Youth felt that there was a lack of communication between themselves and their placement worker

A biological mother contacted the FCO to inquire why she was not allowed to have contact with her daughter. After reviewing the case and speaking with the social worker, the visitation schedule was set. The mother was granted monitored visits with her daughter. At the caller's request, an email was sent to the social worker to explain foster youth's visitation rights.

A 17-year old foster youth requested assistance to be relocated from his current group home to his former foster home because he wanted to maintain his enrollment at the same school and keep his part-time job. He had requested this of the social worker for several months without success. It was determined that the previous foster home did not have a vacancy so the youth was not able to be placed there. The FCO was able to facilitate a dialogue with the group home staff and the social worker which resulted in the youth being able to stay at the same school while residing at the group home. The youth was allowed to take the bus to and from school. The youth is in the process of completing the group home program and is still employed at his part time job.

To address the concerns around Placement Agency Relationships, CDSS will do the following through the Program Improvement Plan:

- Identify training concerns and/or disparities and make recommendations for improving training across the State, including the development of a common core curriculum for all new child welfare workers and supervisors that is delivered by all training entities statewide.
- Establish and implement statewide minimum requirements for the ongoing, consistent statewide training of existing staff with a focus on areas needing improvement. CDSS will use the California Child and Family Services Review (C-CFSR) county self-assessment and System Improvement planning processes to determine how on-going training is provided in the counties and to address gaps in ongoing training identified in the C-CFSR process including comprehensive family needs assessments, and assessing the educational and mental health of all children, both in-home and out of home.

COMPLAINT ISSUES - continued

4. Abuse and Neglect in Placement – 79 Complaints

Complainants are advised that the FCO staff are mandated reporters of suspected child abuse and thus are required to report all allegations of child abuse and neglect to Child Protective Services (CPS) and Community Care Licensing (CCL). All callers are informed that information shared with the FCO may not be confidential. The following is examples of a Neglect complaint that created an unsafe environment:

During an FCO presentation to an Independent Living Program class, a foster youth living in a group home reported that the roof above her bedroom had a serious leak, and that she had to have pans next to her bed to catch the rain water. The foster youth stated that she had made two reports to the group home director regarding the roof. On the day of our presentation, she again said to the director that the roof needed to be fixed or she would call CCL. The foster youth reported that the director said, "If you call CCL, I'll give you a 7 day notice – and then you're out of here". The foster youth stated that she didn't want to move again, as she had been in 6 different placements and didn't want to change schools yet another time. The FCO reported the leaking roof to CCL without revealing the identity of the foster youth, and the FCO followed up with the youth to guarantee that there was no retaliation. The foster youth reported that the roof was repaired.

A foster youth contacted the FCO indicating that there was not enough food in the group home in which he resided. He stated that the staff of the facility went to the local food bank to get food for them. Youth also reported that the food that was there was spoiled. The FCO reported the information to CCL, the CDSS Foster Care Audits bureau, the youth's social worker and attorney. CCL substantiated the allegations and put together a corrective action plan. When following up with the youth, he reported that the situation had been corrected.

To address the concerns around abuse and neglect in placement, CDSS will do the following through the Program Improvement Plan:

- CDSS will begin developing and implementing a statewide comprehensive assessment approach to safety and well-being that includes safety, risk, protective capacity and comprehensive family assessment approaches throughout the life of the case.
- CDSS will begin working with high priority counties to identify problem areas and provide technical assistance to those counties to implement strategies to reduce the incidence of child abuse and neglect in foster care.

Los Angeles County is in the process of assessing and re-engineering all placement policies and practices with a focus on reducing incidents of maltreatment in out-of-home care. CDSS will work with counties to determine where additional supportive services may be needed for caregivers and to identify resources that can provide support services for caregivers.

COMPLAINT ISSUES - continued

5. Emancipation Services and Independent Living Program (ILP) – 26 Contacts

The Independent Living program is state and federally funded and is intended to provide resources and services to foster youth age 16 and older to learn the skills needed to successfully emancipate from the system. These services may include instruction in basic skills such as finding an apartment, seeking employment, cooking meals, writing checks and budgeting money. All California counties have Independent Living Skills Programs however they vary substantially with regard to the services offered. California is working on improving the delivery and consistency of services to foster youth regarding their successful transition to adulthood, through the work of the Child Welfare Redesign Project, the California State Program Improvement Plan, and the Governor's Initiative on Homelessness CDSS/EDD/WIA Taskforce. Although much work continues on improving ILP services and support, foster youth have reported to the FCO the following complaints and concerns:

- Youth stated that they emancipated from care and became homeless
- Youth reported that the ILP classes were not relevant to their needs
- Youth felt that services provided were Inconsistent from county to county
- Youth felt that the transitional housing programs rules were too strict
- Youth were in need of additional aftercare services

An 18-year old foster youth contacted the FCO stating that she had graduated from high school and had a full time job, but her social worker had not begun the emancipation process. After contacting the social worker, it was discovered that a plan had already been put in place for her to participate in transitional housing. The FCO was able to facilitate dialogue and clear up the miscommunication. The termination of jurisdiction was delayed for six months, in order for her to be placed in transitional housing.

An 18-year-old emancipated foster youth contacted the FCO inquiring about ILP services. The youth was under the impression that he was not eligible for services within the ILP program to assist him in obtaining housing and employment. It turned out that there was a misunderstanding between the youth and the Probation Department. The FCO was able to clarify the issues and facilitate prompt assistance for this youth. The youth was able to receive a clothing voucher to purchase appropriate attire for a pending job interview, and the housing supplement he desperately sought.

To address the concerns around emancipation services and ILP issues, CDSS will do the following through the Program Improvement Plan:

- Convene a workgroup to include CYC, the County Welfare Directors Association (CWDA) and the Chief Probation Officers of California (CPOC) to develop strategies to integrate youth's input. The workgroup will develop strategies to ensure youth input and involvement are integrated into the case planning process, including strategies to eliminate any barriers to including youth in the case planning process.
- Implement the strategies statewide through All County Letters (ACLs) and/or other regulatory processes, as needed. The training curriculum will be updated. CDSS will monitor youth's involvement in this process.

COMPLAINT ISSUES - continued

6. Medical/Dental/Mental Health Services – 44 Contacts

These calls identified concerns regarding the receipt of necessary medical, dental and mental health treatment. The most critical needs for these children are that they receive appropriate treatment and be placed in settings that can meet their physical and emotional needs.

Two recurring health issues were:

- Caller's concerned about the inappropriate placement of foster youth where placements were unable to meet child's needs
- Relatives feeling that there are limited and inconsistent access to medical, dental and mental health services

A public health nurse contacted the FCO regarding the county's inability to obtain the necessary authorization to fund extensive dental repair for a foster child. The paperwork had been submitted to California Children's Services and the county had not received a response on the approval. The public health nurse and the county social worker were concerned because the severity of the dental problem was affecting the speech of the foster child. The FCO was able to communicate with California Children's Services (a statewide agency that treats children with certain physical limitations and chronic health conditions or diseases) and facilitated the county's receipt of the approval of the dental work.

A maternal grandmother called the FCO regarding her granddaughter who had many special needs with a range of diagnoses varying from Attention Deficit Hyperactivity Disorder, Autism, Pervasive Development Disorder, etc. This grandmother was angry and frustrated because of a lack of response to the request for special services for her granddaughter and her continued request for the granddaughter to be placed with her. The grandmother stated that she was so frustrated that she was ready to take legal action against the county. The FCO worked collaboratively with the county Social Worker to facilitate the grandmother's participation in Wraparound Services in the foster home, and the transition into the grandmother's home. The FCO mediated and facilitated on-going communication between the County Placement Agency and the grandmother which resulted in the eventual placement with the grandmother and the establishment of special services to meet the granddaughter's special needs

To address the concerns regarding medical, dental, and mental health service issues, CDSS will do the following through the Program Improvement Plan:

Work with the California Department of Mental Health, the California Department of Alcohol and Drug Programs, County Welfare Directors Association, Chief Probation Officers of California, County Mental Health Directors Association, the county First Five Associations and the State First Five Commission to ensure that children and families who are receiving child welfare services a given priority in accessing services.

COMPLAINT ISSUES - continued

7. Education – 53 Contacts

The importance of appropriate education for foster youth cannot be over emphasized.

Two issues in particular stood out among the complaints received by the FCO:

- Callers concerns that multiple placements severely affect youth's school attendance and participation
- Local professionals concern that records are not transferred from one school district to another

A 17 year old youth living in a group home contacted the FCO indicating that she was told by the staff that she could not attend public school. She reported being told by the group home staff that she would receive a better education from their on-site school. Youth felt that she would receive better preparation for emancipation in a public school setting because the on-site school did not offer college preparatory classes. At the youth's request, the FCO consulted with CCL, the youth's attorney and the social worker and reviewed the situation. We verified that some of the on-site school's courses were not transferable for credit to the public school. The group home staff informed the FCO that they had denied her request primarily due to behaviors she was exhibiting at the facility. FCO facilitated a discussion regarding the need to address this behavior separately and that it should not impact her schooling. In addition, this dialogue included information about the youth's desire to attend a school where she believed she would have broader curriculum choices and the opportunity to participate in extra curricular cultural and personal enrichment activities. The youth is now able to attend public school.

Foster Youth Services staff contacted the FCO indicating that a 17 year old foster youth was ready to transition from a Non Public School to a regular school. The FCO facilitated a case conference between the county social worker, the Non Public School staff, the public high school, Foster Youth Services, and the group home staff. It was agreed that the Non Public School and the Public School would work together to complete an Individualized Education Plan to assess the youths educational needs. Through collaboration and coordination the youth was able to attend public school.

To address the concerns regarding Education, CDSS will do the following through the Program Improvement Plan:

- Issue an ACL, which instructs counties to ensure that educational needs for all children in out-of-home care are assessed and to document how the identified educational needs were addressed in the case plan.
- Work with the California Department of Education (CDE) to develop protocols for counties and local school districts to implement and improve educational services to children.
- Work with the Regional Training Academies (RTAs) to ensure changes to statewide case planning and family engagement curriculum include elements regarding the assessment of educational needs of all children;
- Provide written technical assistance to ensure existing county case carrying staff receive training on assessing educational needs of all children in out-of-home care. CDSS will work with CDE to develop protocols for counties and local school districts to implement and to improve educational services to children with identified needs.
- Work with counties, the California Social Work Education Center (CalSWEC) and the RTAs to develop requirements and competencies for child welfare workers and supervisors to strengthen case practice. CDSS will ensure that the contracts with the RTAs include provisions requiring the academies to develop common core curricula to ensure training in comprehensive family needs assessments, including assessing educational and mental health needs of all children both in-home and out-of-home care, and that training is consistent statewide.

COMPLAINT ISSUES - continued

8. Immigration – 5 Contacts

The FCO continues to receive complaints from emancipated foster youth who are not legal residents of the United States. Some youth continue to be emancipated from California's foster care system without their Special Immigrant Juvenile Status (SIJS). This becomes very difficult for the youth as they have no means to support themselves (no legal means to obtain employment), go to college, and obtain a drivers license. These youth struggle with ways to obtain adequate representation and services to become legal residents.

A youth contacted the FCO stating that she had emancipated from foster care without her Special Immigrant Juvenile Status (SIJS). The FCO contacted her previous social worker, attorney, and several community Immigration advocacy groups. The FCO provided the youth's attorney with the Special Immigrant Juvenile Status Manual and a referral to a county that has an excellent unit that specializes in Immigration cases. Youth's Attorney indicated that he would file a petition for the courts to re-open her case to pursue SIJS on her behalf. Youth is currently enrolled in a state college and is in jeopardy of not being able to attend. The FCO continues to facilitate this youth's issues with hopes to assist her in obtaining her legal residency.

An emancipated foster youth contacted the FCO indicating that he left foster care without his legal residency status. FCO contacted Senator Barbara Boxer's office, a local immigration resource center, and several other immigration groups to help the youth. Over the course of several months of collaboration, the youth was able to obtain his residency status. The youth now has stable employment and has obtained an apartment.

COMPLAINT ISSUES - continued

9. Court/Attorney Issues – 17 Contacts

All children and youth in foster care are entitled to legal representation by counsel (except as delineated by law). Their attorneys are required to represent their best interest while their cases are involved with the juvenile court system. Youth are also entitled to attend their court hearings and receive copies of their court reports.

Complaints were commonly related to:

- Foster youth not knowing they have the right to go to court
- Foster youth not knowing their assigned attorney or that they have an attorney
- Foster youth not receiving copies of their court reports
- Attorneys not returning calls to foster youth

A foster youth contacted the FCO and indicated that he did not know who his attorney was. The FCO staff was able to provide the youth with the name and telephone number for his attorney. The FCO staff contacted the attorney and informed him that his client was trying to reach him. The attorney contacted the youth the same day and provided the FCO with feedback about the conversation. FCO staff followed up with the youth who confirmed that he had talked with his attorney.

A biological parent contacted the FCO indicating that his son, who was placed in a foster home, was not allowed to go to court. The father requested that we mail him the foster youth rights information so that he could give it to his son at his next visit. The youth contacted the FCO and reported that he wanted to go to court to talk about his desire to be placed in the home of his aunt. At the next court hearing, the father's attorney informed the judge that the youth wanted to be at court. In turn, the judge ordered the youth to be present at the following court hearing. The youth attended the court hearing at which time he reported that he wanted to be placed with his aunt. The aunt's home was assessed and the youth is now placed in her home.

COMPLAINT ISSUES - continued

10. Homelessness – 22 Contacts

During this reporting period, twenty-two emancipated foster youth contacted the FCO indicating that they were homeless and in need of supportive services.

- There is a lack of adequate preparation for emancipation
- A lack of a employable skill to assist youth with obtaining employment with a livable wage
- A lack of transitioning services and supports

An emancipated foster youth contacted the FCO indicating that she was currently homeless and needed assistance. She reported that upon emancipating, she had been gainfully employed and had established a residence but had recently been laid off from her job and subsequently became homeless. FCO contacted the local one-stop center and the youth's previous ILP social worker. Through collaboration, the youth was able to locate employment and obtain housing through a one-stop center partner.

During a panel presentation on "Mental Health and Foster Youth Issues", the Ombudsman talked with a former foster youth (who was a panelist for the presentation) and discovered that this young man was homeless. He was living under a highway overpass, and had no resources for food or other essentials. He stated he had participated in the Independent Living Program, but was having difficulty receiving any assistance from them. The Ombudsman contacted the Director of Emancipation Services, and a case worker was assigned to assist this young man. This worker arranged for a temporary stay in a motel, bought him new clothes and then took him to review several residential programs. Because of the excellent support from this case worker, this young man currently is stabilized and living in a residential program. He has called the Ombudsman to report that he is planning to attend college and has a girl-friend.

To address the concerns regarding homelessness issues, CDSS, in collaboration with EDD and the California Workforce Investment Board, are:

- developing programs to help foster youth obtain information regarding education, training, and job search services. This initiative proposes that foster youth would be enrolled at One-stop centers and that One-stops would develop "Youth friendly" or "Youth appropriate" programs to help meet the needs of emancipating foster youth.

ON-GOING ACTIVITIES

COLLABORATION

An important component of the FCO is the promotion of collaborative relationships among various departments and agencies to address issues and concerns. The FCO works with the following departments and agencies to address issues and concerns expressed by foster youth and other complainants:

Child Advocacy Groups – These organizations provides perspectives that are important in providing needed feedback on ways the foster care system can be improved and in hearing directly from the youth in foster care:

*Children's Lobby
California Partnership for Children
California Youth Connection (CYC)
Youth Law Center
Court Appointed Special Advocates*

Provider Groups – The FCO continues to meet with groups that provide care for foster children to gain information regarding their needs and perspectives:

*California Alliance of Children and Family Services
California State Foster Parent Association
Grandparent and Kinship Associations*

County Child Welfare Ombudsman Programs –

The FCO encourages the creation of child welfare ombudsman programs in every county that does not currently have one. The FCO has provided technical support to these counties in the creation of their ombudsman programs. The FCO hosts statewide and regional meetings of county child welfare ombudsman to exchange best practice approaches to complaint resolution and perspectives.

Child welfare ombudsman programs are in the following counties: Alameda, Fresno, Kern, Los Angeles, Orange, Riverside, Sacramento, San Diego, San Francisco, San Mateo, Santa Clara and Solano.

County Child Welfare and Juvenile Probation Professionals –

The FCO has met with representatives from county probation offices, the Juvenile Justice Commission and the county welfare directors to explain the scope of the FCO program and to gain information regarding their challenges in meeting the needs of the children and youth in their systems.

*Child Welfare Directors Association
Juvenile Justice Commission
California Probation Officers Association*

RESOURCE DIRECTORY

A comprehensive resource directory has been compiled listing various federal, state and community resources that are available to current and emancipated foster youth. In addition, a youth resource directory and a gay, lesbian, transgender and questioning youth resource directory has been completed. These directories are used by FCO staff to assist foster youth in finding appropriate resources and are continually updated.

FOSTER YOUTH FOCUS GROUPS

The FCO conducted five foster youth focus groups throughout the state during this reporting period (2002—2003). Through these groups, the FCO had the opportunity to discuss a variety of issues with foster youth and to share information regarding the issues that youth are facing in foster care.

OUTREACH MATERIALS

The FCO has created outreach materials including color brochures in English and Spanish, laminated cards about the FCO and a poster and brochure on foster youth rights. These materials are distributed at outreach presentations and mailed out upon request. The materials are used to assist individuals in understanding the services provided by the FCO. In addition, as the FCO recognizes patterns regarding the types of complaints, fact sheets are created and distributed explaining the issues and addressing specific ways to resolve them.

DATA BASE

The FCO has designed and developed a comprehensive database to track all calls. This tracking system provides a compilation of the number of calls, type of calls, referrals and other data received by the FCO (as mandated by WIC Section 16164 (a) (7)).

FOSTER CARE OMBUDSMAN ADVISORY COMMITTEES

FCO Advisory Committees in both the northern and southern regional offices continue to assist in clarifying the role of the FCO, sharing ideas for effective outreach, and providing feedback to the FCO on protocols and procedures, outreach materials, complaint tracking system and other relevant issues. The Committees are composed of individuals representing children's advocacy organizations, current and former foster youth, and representatives from provider associations. Various departments and associations within the state are also represented

THE WEB SITE

(www.fosteryouthhelp.ca.gov)

The FCO maintains a web site that provides information on the FCO program as well as a wide range of resources to assist foster youth, providers, and the general public. The site includes information on the FCO program as well as a wide range of resources on programs, career development opportunities, employment and educational resources. In addition, a variety of FCO publications (including foster youth rights brochures and posters), forms, other brochures and reports can be accessed. The FCO continues to assess the needs of youth in foster care (as well as those who have emancipated) and places that information on the website to address new issues as they arise.

SPECIAL PROJECTS

FOSTER YOUTH RIGHTS - AB 899

In January 2002, Assembly Bill 899 (Chapter 863, Statutes of 2001) became effective. This new law set forth 21 rights for children and youth in foster care. Rights are to be communicated in two ways: 1) facilities licensed to care for six or more foster youth are required to post information on foster youth rights in their facility; and 2) caregivers and placement workers are required to provide a foster youth rights orientation to each school age foster child. To meet these requirements, the FCO, with the help of an advisory group and Transcend, Inc., a translation company working pro bono, designed a colorful brochure and poster presenting these rights and the toll free telephone number for the FCO. In September 2002, the FCO began distributing the posters and brochures throughout the state. The FCO continues to work with CCL to send the information to all newly licensed facilities.

The FCO is working with several groups to design a curriculum for former foster youth and child welfare professionals to conduct training in their local communities on the foster youth rights. This training will be provided to foster youth, Court Appointed Special Advocates (CASA), attorneys, judges, relatives, social workers and other interested community groups.

GOVERNOR'S INITIATIVE ON HOMELESSNESS

The FCO and CDSS participated in the Governor's Summit on Homelessness and submitted a proposal for an initiative to help prevent foster youth from becoming homeless. This initiative was accepted by the Governor's office and will develop collaborative programs between the California Department of Social Services, the Employment Development Department and the California Workforce Investment Board to meet the needs of emancipating foster youth and establish a plan to encourage foster youth to register at One-Stop Centers." This initiative would enable current and former foster youth to obtain information regarding services provided, including employment opportunities and training programs. The FCO has had the opportunity to facilitate a workgroup for the past 12 months to coordinate this project.

PERMANENCY FOR OLDER FOSTER YOUTH

The Foster Care Ombudsman (FCO) and CDSS has worked with numerous community groups who have identified the need for older Foster Youth to be connected with committed adults and permanent families. Many foster youth emancipate without these lifelong connections. They lack adult supports that they can call on for assistance in an emergency. Current research shows that many children are not fully independent until age 28, and rely on support at various times from their parents and family members.

The FCO participated in a convening by the Stuart Foundation on “Permanency for Older Foster Youth”. This convening shared information and success stories from various agencies around the United States that have found permanent families and committed adults who make a life-long commitment to youth in foster care.

In many states across the country, Family Conferencing and team decision making have been used to facilitate/ find a permanent home for older foster youth. These models have a proven track record and can be expanded in California. These conferences can bring together extended family, and other supportive adults to explore and develop possible long-term supportive adult relationships.

The FCO continues to participate in the California task force on Permanency for Older Foster Youth. This taskforce continues to challenge the Child Welfare System to create similar programs to facilitate finding permanent families for our older foster youth. No child should exit from foster care without lifelong connections. Committed caring adults can provide foster youth with support and assist them with their successful transition into adulthood. The work from this taskforce has inspired the creation of an assembly bill (AB408) which if passed into law would ensure that the courts and the Social Service Agency identify people who are important to the children in foster care and facilitate on-going connections with them.

FORMER FOSTER YOUTH PROFESSIONAL OPPORTUNITY PROGRAM (FFY-POP)

The FCO has developed a proposal which would provide former foster youth with employment, training and professional development as a Foster Youth Outreach Worker through the Foster Care Ombudsman program. This program proposal was submitted to the Governor’s Discretionary Fund of the California Workforce Investment Board, but was not funded. The FCO will be submitting this proposal to additional governmental funding sources as well as private foundations for consideration.

EDUCATION OF FOSTER CHILDREN

Another major concern identified by the CDSS and the FCO is the quality of educational services received by foster children. The FCO is participating in a workgroup of the American Institutes on Research to explore the issues, policies and practices affecting the educational needs of foster youth. There are two areas of particular concern:

Enrollment delays

If a foster child or youth is moved from one school district to another and the transfer of educational records does not immediately follow, there is a gap in schooling, which is detrimental to the youth's educational continuity. No one is identified as being responsible for withdrawing a child from school, obtaining the records and enrolling them in the new school. Foster children and youth should be able to attend school immediately in the new school district while records are being obtained (similar to the federal McKinney Act, which allows homeless children to be enrolled in school immediately wherever they are located).

Non-public, group home on-site schools

Based on feedback from foster youth at FCO presentations and a recent report of the American Institutes for Research, entitled "Education of Foster Group Home Children, Whose Responsibility Is It?" the quality of education in on-site schools is of concern in two general areas. First, foster youth in these schools are isolated from the myriad of activities provided by the mainstream school experience and from normal social contacts with other students and their local community. Secondly, youth have advised the FCO of their feeling that the quality of education does not serve their needs. For example, a number of youth stated they are not able to take the required coursework needed to allow them to attend college such as a foreign language and laboratory work in the sciences.

EMANCIPATION SERVICES

One area of concern identified by the CDSS and the FCO is need for more coordination of services between the Foster Care Independent Living Programs (ILP) and Adult Social Services. When former foster youth reach 21 years of age, they are not eligible for ILP services, and thus need coordinated services through adult programs such as mental health, addiction services, CalWorks, prevention programs, SSI and housing programs. The most effective programs are those that have a dedicated case worker who is knowledgeable, able to coordinate the delivery of services and create a relationship with the former foster youth. In addition, youth have expressed a need for an individual who is available to transport them to the services needed.

TITLE 22 REGULATIONS UPDATE

The FCO created a workgroup in collaboration with CCL, CYC and other relevant parties to identify various Title 22 regulations which created barriers for foster youth learning life skills necessary for self-sufficiency after emancipation and the possibility of developing age appropriate regulations. Specific CCL regulations were identified that require excessive supervision of older foster youth and were inhibiting their ability to grow up in the same way as non-foster youth. The report from this group was submitted to the statewide Child Welfare Stakeholders group for further review and action (please see Appendix A).

FOSTER YOUTH QUESTIONNAIRE

The FCO, in collaboration with CDSS' Community Care Licensing (CCL) and the California Youth Connection (CYC), developed a Foster Youth Questionnaire regarding the youth's perspective on their out-of-home placement. This questionnaire helps assess the quality of their placement, and their understanding of their rights. This questionnaire was submitted to CCL who is using the questionnaire when they interview youth at the annual visit of their foster home or group home. The plan is that the questionnaire will then be sent to the FCO for data analysis.

**Final Report, January 25, 2001, American Institutes for Research, University of California at Berkeley, Child Welfare Research Center, and Lodestar Research)*

Foster Care Ombudsman Staff

In February 2000, Karen Grace-Kaho was appointed as the Ombudsman for Foster Care. In February 2002, Ms. Grace-Kaho was appointed for her second term.

Each of the staff brings a wealth of knowledge, personal talent and commitment which assists them to meet the needs of the FCO. The dedication of the FCO staff is the basis of the excellent service provided to current and former foster youth throughout California.

The FCO staff has a wide array of educational and professional experience including:

- former county Ombudsman
- Master's Degrees in Social Work (MSW)
- former CDSS Community Care Licensing (CCL) and foster care policy staff
- former civil rights investigator
- former residential treatment facility director
- former foster youth

THE COMPLAINT AND INQUIRY PROCESS

The Foster Care Ombudsman has created protocols and procedures for processing complaints and inquiries. The following processes are used by the FCO staff to assist callers in resolving their concerns and issues:

- All contacts are documented in a complaint data base.
- The FCO determines the priority status of the complaint. If the complaint involves an allegation of abuse, a report is made to Child Protective Services and/or Community Care Licensing.
- The FCO acts as an objective fact-finder.
- The FCO will inquire if the complainant feels safe making this complaint and if there is any fear of retaliation, and will explore various approaches to address their concerns.
- The FCO determines if the complainant has addressed their concerns to other personnel or organizations (i.e., county social worker, probation officer, county Ombudsman, Community Care Licensing, etc.).
- The FCO contacts all relevant parties, either by phone or in person, (including the complainant, family members, social worker, Court Appointed Special Advocate (CASA), County Ombudsman, attorney, physicians and any other relevant parties).
- The FCO contacts the appropriate attorney in the process of conducting investigations.
- The FCO determines if a referral needs to be made to appropriate agencies or organizations for supportive services.
- The FCO reports back to all complainants as to the action taken by the FCO and the status of the resolution.